

In the meantime, however, the Wisconsin Action moved forward, as the Western District of Wisconsin would not stay any deadlines (other than those relating to SPG's requests for dismissal and/or transfer) while the jurisdictional questions were being addressed. The parties have now briefed several motions, submitted their claim construction positions and have begun the discovery process. As a result, SPG believes that dismissing and/or transferring the Wisconsin Action at this juncture would only cause unnecessary delay and require both this Court and the parties to duplicate significant efforts already undertaken in the Wisconsin Action. Accordingly, in the interest of judicial economy, SPG hereby dismisses its Complaint here (without prejudice).

Date: October 3, 2011

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of October, 2011, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system.

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